

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 5/24/2023
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALEXA BATES, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	1:20-cv-09056-GHW
	:	
-against-	:	1:20-cv-09717-GHW
	:	
DEVA CONCEPTS LLC,	:	<u>ORDER</u>
	:	
	:	
Defendant.	:	
-----X	:	
CRYSTAL ADAMS, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
DEVA CONCEPTS LLC,	:	
	:	
	:	
Defendant.	:	
-----X	:	

GREGORY H. WOODS, District Judge:

A pre-motion conference was scheduled in these cases for May 23, 2023 at 2:00 p.m. to discuss Defendant's proposed motion to dismiss the amended complaints filed in each of these matters. Minutes before the scheduled conference, counsel for the plaintiffs in the *Bates* matter informed the Court by email that they would not be able to appear at the scheduled time. Therefore, while counsel for the *Adams* plaintiffs and the defendant appeared at the conference timely, the Court was unable to discuss the proposed motion to dismiss. The Court adjourned the conference.


Rather than reconvene the parties for another conference, the Court will establish a briefing schedule for the proposed motion. The deadline for Defendant to file and serve its proposed motion to dismiss is June 12, 2023. Plaintiffs' opposition is due within twenty-one days after the date of service of Defendant's motion; Defendant's reply, if any, is due within fourteen days after

the date of service of Plaintiffs' opposition. If Defendant wishes to defer presentation of the issues that are the subject of the proposed motion to dismiss to summary judgment motion practice, they may elect to not file the motion by the deadline established here. Defendant's answers to the complaints with respect to all matters other than the claims that are the subject of the proposed motion to dismiss must be filed no later than June 12, 2023.

Because the issues that are expected to be addressed by the proposed motion to dismiss do not materially impact the scope of anticipated discovery in the case, the stay of discovery is lifted. The Clerk of Court is directed to remove the notation on the docket that the case is stayed.

SO ORDERED.

Dated: May 24, 2023
New York, New York


GREGORY H. WOODS
United States District Judge